

Kevin T. Simon - SBN 180967
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15233 Ventura Blvd., Suite 250
Sherman Oaks, CA 91403
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Email: kevin@srhlawfirm.com

Attorney for Debtor,
Emily Ann Bayley

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re

EMILY ANN BAYLEY,

Debtor(s).

CHAPTER 13
CASE NO.: 1:14-bk-10868-VK

**MOTION FOR INTENTIONAL
VIOLATION OF THE AUTOMATIC
STAY AGAINST THE BEST SERVICE
CO., INC., ITS SUCCESSORS AND/OR
ASSIGNS; REQUEST LEVY BE
RELEASED AND ATTORNEY FEES IN
THE AMOUNT OF \$2,500.00 BE
AWARDED TO THE DEBTOR;
DECLARATIONS IN SUPPORT
THEREOF**

DATE: June 3, 2014
TIME: 1:30 p.m.
CTRM: 301
21041 Burbank Boulevard
Woodland Hills, CA 91367

**TO THE HONORABLE VICTORIA S. KAUFMAN, UNITED STATES
BANKRUPTCY JUDGE, CHAPTER 13 TRUSTEE, AND INTERESTED PARTIES:**

Emily Ann Bayley (hereinafter "Debtor") hereby submits the following Motion for
Intentional Violation of the Automatic Stay Against The Best Service Co., Inc., its
Successors and/or Assigns (hereinafter "Creditor"); Request Levy Be Released and
Attorney Fees in the Amount of \$2,500.00 be awarded to the Debtor as follows:

I. STATEMENT OF FACTS

The Debtor filed the instant case on February 20, 2014. The Debtor owns real property located at 1466 Calle Morera, Thousand Oaks, CA 91360 (hereinafter "Property"). Prior to the filing of the instant case, Creditor was awarded a judgment in State Court against the Debtor. Creditor subsequently recorded a judgment lien on or about April 5, 2012. (Attached to the Declaration of Kevin T. Simon as Exhibit "A" is a true and correct copy of the recorded judgment lien.). On or about January 2014, Creditor also filed a Notice of Levy with the Los Angeles County Sheriff's Department (hereinafter "Sheriff's Department"). (Attached to the Declaration of Kevin T. Simon as Exhibit "B" is a true and correct copy of the Notice of Levy.).

On or about February 20, 2014, SIMON RESNIK HAYES LLP (hereinafter SRH), counsel for Debtor, notified both the Sheriff's Department and Creditor of the Debtor's instant bankruptcy via facsimile and provided a copy of the Notice of Bankruptcy Filing. In accordance with federal bankruptcy law, SRH requested that the Creditor's levy be released in order to avoid violation of the automatic stay. (Attached to the Declaration of Kevin T. Simon as Exhibit "C" are true and correct copies of the February 20, 2014 facsimile correspondence with attached documents.).

On or about March 18, 2014, SRH filed a Notice of Motion and Motion to Avoid Lien Under 11 U.S.C. § 522(f) Creditor's lien (hereinafter "522(f) Motion"). On or about April 15, 2014, the 522(f) Motion was granted, voiding Creditor's lien.

On or about April 9, 2014, SRH contacted the Sheriff's Department with regard to the levy and release of funds totaling \$4,000.00 currently being held. The Sheriff's Department informed SRH that Creditor failed to release the levy. (See Declaration of Maria Escobar). On or about April 15, 2014, SRH sent the Sheriff's Department a copy of the Order granting the 522(f) Motion in an effort to release the levy. (Attached to the Declaration of Kevin T. Simon as Exhibit "D" is a true and correct copy of the April 15, 2014 facsimile correspondence with attached documents.). On or about April 16, 2014, SRH contacted the Sheriff's Department regarding the Order on the Motion, wherein the Sheriff's Department advised that they would only return the funds to the Debtor upon release of the levy by Creditor. (See Declaration of Maria Escobar).

1 On or about April 22, 2014, SRH contacted the Creditor's counsel, The Law
2 Offices of Clark Garen, advising that they had knowingly violated the automatic stay and
3 requested that the levy be released in accordance with federal bankruptcy law.
4 However, SRH was advised by Garen's office that they would not instruct the Sheriff's
5 Department to release the levy. (See Declaration of Maria Escobar)

6 Moreover, on or about April 22, 2014, SRH sent a letter to Creditor's attorney,
7 Clark Garen, a letter advising that they had violated the Automatic Stay and demanded
8 that the levy be released within 48 hours. (Attached to the Declaration of Kevin T.
9 Simon as Exhibit "E" is a true and correct copy of the April 22, 2014 correspondence to
10 Mr. Garen.).

11 On or about April 22, 2014, Mr. Garen provided SRH with a response letter
12 advising that Creditor had no authority to instruct the Sheriff's Department to release the
13 funds and that Creditor was not in violation of the automatic stay. (Attached to the
14 Declaration of Kevin T. Simon as Exhibit "F" is a true and correct copy of the April 22,
15 2014 correspondence from Mr. Garen.).

16 SRH has made numerous requests and attempts to have Creditor release the
17 levy in order for the Sheriff's Department to return the funds to the Debtor, however, to
18 date, Creditor has refused to cooperate. Accordingly, the Debtor was left with no other
19 option but to file the instant Motion.

20 II. ARGUMENT

21 A. CREDITOR IS IN VIOLATION OF THE AUTOMATIC STAY

22 The automatic stay is one of the fundamental debtor protections provided by the
23 bankruptcy laws. Under Section 362(a), the filing of a bankruptcy petition operates as a
24 stay that protects the debtor and the property of the estate. The automatic stay stops all
25 collection efforts, foreclosure actions, acts to obtain possession of property,
26 harassment, prevents creditors from the satisfying their claims to the detriment of other
27 creditors, and any act to create, perfect, or enforce any liens against property of the
28 estate.

11. U.S.C. Section 362 states that a bankruptcy petition filed operates as a stay,
applicable to all entities, of—

1 ...

2 (2) the enforcement, against the debtor or against property of
3 the estate, of a judgment obtained before the commencement
4 of the case under this title;

5 (3) any act to obtain possession of property of the estate or of
6 property from the estate or to exercise control over property of
7 the estate;

8 (4) any act to create, perfect, or enforce any lien against property
9 of the estate;

10 (5) any act to create, perfect, or enforce against property of the
11 debtor any lien to the extent that such lien secures a claim that
12 arose before the commencement of the case under this title;

13 (6) any act to collect, assess, or recover a claim against the Debtor that arose
14 before the commencement of the case...

15 In the instant case, Creditor's levy is in direct violation of the Automatic Stay.
16 SRH has made requests and attempts to have Creditor release the levy in order for the
17 Sheriff's Department to return the funds to the Debtor, however, Creditor has blatantly
18 refused to cooperate.

19 **B. THE FUNDS TOTALING \$4,000.00 ARE PROPERTY OF THE ESTATE.**

20
21 The Debtor filed the instant case on February 20, 2014. Prior to the filing of the
22 instant case, Creditors was awarded a judgment in State Court against the Debtor. A
23 Notice of Levy was subsequently filed and funds in the amount of \$4,000.00 had been
24 garnished, but had not been disbursed by the Sheriff's Department. Despite
25 correspondence and communication with Creditor's counsel to release the levy, they
26 refuse to do so.

27 Pursuant to 11 U.S.C. § 541(a)(2)(B), "property of the estate is comprised of
28 all of the following property, wherever located and by whomever held: All interests of the
Debtor and the Debtor's spouse in community property as of the commencement of the

1 case that is - liable for an allowable claim against the Debtor, or for both an allowable
2 claim against the Debtor and an allowable claim against the Debtor's spouse, to the
3 extent that such interest is so liable."

4 In the instant case, funds totaling \$4,000.00 were disbursed to the Sheriff's
5 Department and are currently being held pending release instructions from the Creditor.
6 The funds disbursed are property of the Bankruptcy Estate and must therefore be
7 turned over to the Debtor as a matter of law. However, the funds cannot be returned to
8 the Debtor as the Creditor refuses to release the levy, thereby enabling the Sheriff's
9 Department to do so.

10
11 **C. THE DEBTOR IS ENTITLED TO ATTORNEYS' FEES.**

12 An individual injured by any willful violation of a stay provided by this section shall
13 recover actual damages, including attorneys' fees, and, in appropriate circumstances,
14 may recover punitive damages. 11 U.S.C. §362(k).

15 Any deliberate act taken in violation of a stay the actor knows to be in existence
16 justifies an award of actual damages, an additional finding of maliciousness or bad faith
17 warrants the further imposition of punitive damages. In re Crysen/Montenay Energy Co.,
18 902 F.2d 1098 (2d Cir. 1990).

19 In the instant case, the Creditor was aware of the automatic stay, but chose to
20 violate it based on their assumption that they no authority to instruct the Sheriff's
21 Department to release the funds and were not in violation of the automatic stay,
22 resulting in the filing of the instant Motion and the incurring of attorneys' fees and costs
23 to the Debtor.

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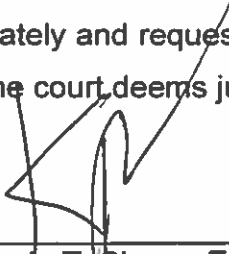
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1 **III. CONCLUSION**

2
3 Based on the foregoing facts, and the statutory and decisional authority, it is
4 respectfully requested that the Court finds the Creditor to be in violation of the automatic
5 stay, order Creditor to release the levy immediately and request the Debtor be awarded
6 attorneys' fees of \$2,500.00, or in an amount the court deems just and proper.

7 DATED: April 28, 2014

8 By: 
9 Kevin T. Simon, Esq.
10 Attorney for Debtor
11 Emily Ann Bayley
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DECLARATION OF KEVIN T. SIMON IN SUPPORT OF MOTION

I, Kevin T. Simon, do hereby declare that all of the following is true and correct to the best of my personal knowledge and if called upon as a witness I could and would competently testify to the truthfulness of all of the below statements:

1. SIMON RESNIK HAYES LLP, represents the Debtor, Emily Ann Bayley, Case Number: 1:14-bk-10868-VK, which was filed on February 20, 2014.

2. The Debtor owns real property located at 1466 Calle Morera, Thousand Oaks, CA 91360.

3. Prior to the filing of the instant case, Creditor was awarded a judgment in State Court against the Debtor. Creditor subsequently recorded a judgment lien on or about April 5, 2012. (Attached hereto as Exhibit "A" is a true and correct copy of the recorded judgment lien.).

4. On or about January 2014, Creditor filed a Notice of Levy with the Los Angeles County Sheriff's Department. (Attached hereto as Exhibit "B" is a true and correct copy of the Notice of Levy.).

5. On or about February 20, 2014, my office notified both the Sheriff's Department and Creditor of the Debtor's instant bankruptcy via facsimile and provided a copy of the Notice of Bankruptcy Filing. In accordance with federal bankruptcy law, my office requested that the Creditor's levy be released in order to avoid violation of the automatic stay. (Attached hereto as Exhibit "C" are true and correct copies of the February 20, 2014 facsimile correspondence with attached documents.).

6. On or about March 18, 2014, my office filed a Notice of Motion and Motion to Avoid Lien Under 11 U.S.C. § 522(f) Creditor's lien. On or about April 15, 2014, the 522(f) Motion was granted, voiding Creditor's lien.

7. On or about April 9, 2014, my office contacted the Sheriff's Department with regard to the levy and release of funds totaling \$4,000.00 currently being held. The Sheriff's Department informed my office that Creditor failed to release the levy. (See Declaration of Maria Escobar).

1 8. On or about April 15, 2014, my office sent the Sheriff's Department a copy
2 of the Order granting the 522(f) Motion in an effort to release the levy. (Attached hereto
3 as Exhibit "D" is a true and correct copy of the April 15, 2014 facsimile correspondence
4 with attached documents.).

5 9. On or about April 16, 2014, my office contacted the Sheriff's Department
6 regarding the Order on the Motion, wherein the Sheriff's Department advised that they
7 would only return the funds to the Debtor upon release of the levy by Creditor. (See
8 Declaration of Maria Escobar).

9 10. On or about April 22, 2014, my office contacted the Creditor's counsel,
10 The Law Offices of Clark Garen, advising that they had knowingly violated the automatic
11 stay and requested that the levy be released in accordance with federal bankruptcy law.
12 However, SRH was advised by Garen's office that they would not instruct the Sheriff's
Department to release the levy. (See Declaration of Maria Escobar)

13 11. Moreover, on or about April 22, 2014, my office sent a letter to Creditor's
14 attorney, Clark Garen, a letter advising that they had violated the Automatic Stay and
15 demanded that the levy be released within 48 hours. (Attached hereto as Exhibit "E" is
16 a true and correct copy of the April 22, 2014 correspondence to Mr. Garen.).

17 12. On or about April 22, 2014, Mr. Garen provided my office with a response
18 letter advising that Creditor had no authority to instruct the Sheriff's Department to
19 release the funds and that Creditor was not in violation of the automatic stay. (Attached
20 hereto as Exhibit "F" is a true and correct copy of the April 22, 2014 correspondence
from Mr. Garen.).

21 13. My office has made numerous requests and attempts to have Creditor
22 release the levy in order for the Sheriff's Department to return the funds to the Debtor,
23 however, to date, Creditor has refused to cooperate.

24 14. Creditor's actions directly resulted in the filing of the instant Motion on
25 behalf of the Debtor and incurring of attorneys' fees and costs.

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1 I declare under penalty of perjury under the laws of the State of California and
2 United States that the foregoing is true and correct.

3
4 Executed on April 28, 2014, at Sherman Oaks, California.

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7 Kevin T. Simon
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DECLARATION OF MARIA ESCOBAR IN SUPPORT OF MOTION

I, Maria Escobar, do hereby declare that all of the following is true and correct to the best of my personal knowledge and if called upon as a witness I could and would competently testify to the truthfulness of all of the below statements:

1. I am employed by the Law Offices of SIMON RESNIK HAYES LLP., located at 15233 Ventura Blvd., Suite 250, Sherman Oaks, CA 91403.

2. On or about April 9, 2014, I contacted the Sheriff's Department with regard to the levy and release of funds totaling \$4,000.00 currently being held. The Sheriff's Department informed me that Creditor failed to release the levy.

3. On or about April 22, 2014, I contacted the Creditor's counsel, The Law Offices of Clark Garen, advising that they had knowingly violated the automatic stay and requested that the levy be released in accordance with federal bankruptcy law. However, I was advised by Garen's office that they would not instruct the Sheriff's Department to release the levy.

I declare under penalty of perjury under the laws of the State of California and United States that the foregoing is true and correct.

Executed on April 28, 2014, at Sherman Oaks, California.

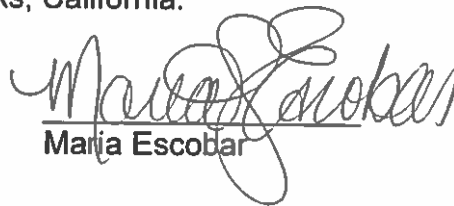

Maria Escobar

EXHIBIT "A"

RECORDING REQUESTED BY
THE BEST SERVICE CO.
10780 SANTA MONICA BLVD #140
LOS ANGELES, CA 90025

11419905/L13

WHEN RECORDED MAIL TO
NAME LAWRENCE & LAWRENCE, A LAW
CORP.

MAILING 10780 SANTA MONICA BLV
ADDRESS SUITE 140

CITY, STATE LOS ANGELES, CA
ZIP CODE 90025



SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE


TITLE(S)

LIEN NOTICE MAILED

ABSTRACT OF JUDGMENT--CIVIL AND SMALL CLAIMS

THE BEST SERVICE CO VS EMILY A BAYLEY-LEGUIRE

VENTURA COUNTY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number): Recording requested by and return to: GREG LAWRENCE, ESQ. SBN 82243 LAWRENCE & LAWRENCE, A LAW CORP. 10780 SANTA MONICA BLVD., STE 140 LOS ANGELES, CA 90025 3104770471X162 <input checked="" type="checkbox"/> ATTORNEY FOR <input checked="" type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		FOR RECORDERS USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: 800 SO. VICTORIA AVE. MAILING ADDRESS: CITY AND ZIP CODE VENTURA, CA 93009 BRANCH NAME:			
PLAINTIFF: THE BEST SERVICE CO. INC. DEFENDANT: EMILY A BAYLEY-LEQUIRE;		CASE NUMBER: 56-2011-00397702-CL-CL-VTA FOR COURT USE ONLY	
ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS <input type="checkbox"/> Amended			
1. The <input checked="" type="checkbox"/> judgment creditor <input type="checkbox"/> assignee of record applies for an abstract of judgment and represents the following: a. Judgment debtor's Name and last known address [EMILY A BAYLEY-LEQUIRE; 1466 CALLE MORERA THOUSAND OAKS CA 91360 Lien notice mailed to debtor at address shown. Govt Code 27297.5] b. Driver's license no. (last 4 digits) and state: <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Unknown c. Social security no. (last 4 digits): 7337 <input type="checkbox"/> Unknown d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): EMILY A BAYLEY-LEQUIRE; 1466 CALLE MORERA THOUSAND OAKS CA 91360			
2. Information on additional judgment debtors is shown on page 2. 3. Judgment creditor (name and address): THE BEST SERVICE CO. INC. 10780 SANTA MONICA BLVD., SUITE 140 LOS ANGELES CA 90025 Date: 12/30/11 GREG LAWRENCE (TYPE OR PRINT NAME) 4. <input type="checkbox"/> Information on additional judgment creditors is shown on page 2. 5. <input type="checkbox"/> Original abstract recorded in this county: a. Date: b. Instrument No.:			
6. Total amount of judgment as entered or last renewed: \$ 12,806.34 7. All judgment creditors and debtors are listed on this abstract. 8. a. Judgment entered on (date): 08-22-11 b. Renewal entered on (date): 9. This judgment is an installment judgment.			
(SEAL) 		10. <input type="checkbox"/> An <input type="checkbox"/> execution lien <input type="checkbox"/> attachment lien is endorsed on the judgment as follows: a. Amount: \$ b. In favor of (name and address): 11. A stay of enforcement has a. <input checked="" type="checkbox"/> not been ordered by the court. b. <input type="checkbox"/> been ordered by the court effective until (date): 12. a. <input checked="" type="checkbox"/> I certify that this is a true and correct abstract of the judgment entered in this action. b. <input type="checkbox"/> A certified copy of the judgment is attached. Clerk, by MICHAEL D. PLANET, Deputy JULIA A. ACOSTA	
Form Adopted for Mandatory Use Judicial Council of California Es 001 (Rev. January 1, 2008)		ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS Legal Solutions & Plus Page 1 of 2 Code of Civil Procedure, §§ 488.480, 674, 700.180	

PLAINTIFF: THE BEST SERVICE CO. INC.	CASE NUMBER:
DEFENDANT: EMILY A BAYLEY-LEQUIRE;	56-2011-00397702-CL-CL

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15. [] Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

17. Name and last known address

Driver's license no. (last 4 digits)
and state:

☐ Unknown

Social security no. (last 4 digits):

☐ Unknown

Summons was personally served at or mailed to (address):

Driver's license no. (last 4 digits)
and state:

☐ Unknown

Social security no. (last 4 digits):

☐ Unknown

Summons was personally served at or mailed to (address):

18. Name and last known address

19. Name and last known address

Driver's license no. (last 4 digits)
and state:

☐ Unknown

Social security no. (last 4 digits):

☐ Unknown

Summons was personally served at or mailed to (address):

Driver's license no. (last 4 digits)
and state:

☐ Unknown

Social security no. (last 4 digits):

☐ Unknown

Summons was personally served at or mailed to (address):

20. [] Continued on Attachment 20.

RECEIVED VENTURA
SUPERIOR COURT
2017 JUN -5 PM 2:13

EXHIBIT "B"

Attorney or Party without Attorney: LAW OFFICES OF CLARK GAREN 6700 S CENTINELA AVE 3RD FL. CULVER CITY, CA 90230 TEL: (310) 391-0800 310.636.4771		For Recorder's use only
SUPERIOR COURT 800 S. VICTORIA AVENUE VENTURA, CA 93003	56100	Levying Officer: Sheriff's Department Los Angeles County 1427 WEST COVINA PKWY., RM 127 WEST COVINA, CA 91790 TEL: (626) 811-3254 626.338.6347
Plaintiff: THE BEST SERVICE CO Defendant: BAYLEY-LEQUIRE, EMILY A		
Notice of levy - under writ of: COURT CASE 56 2011 0039702 CL-CL-VTA (X) Execution (Money Judgment) () Sale		Levy Ofc File No 1101401220024

TO THE PERSON NOTIFIED:

BANK OF AMERICA
BAYLEY-LEQUIRE, EMILY A
1466 CALLE MORERA
THOUSAND OAKS, CA 91360

GARNISHEE
JUDGMENT DEBTOR

- The judgment creditor seeks to levy upon property in which the judgment debtor has an interest and apply it to the satisfaction of a judgment as follows:
A. Judgment Debtor:
BAYLEY-LEQUIRE, EMILY A , an Individual
B. The property to be levied upon is described:
() In the accompanying Writ of Possession or Writ of Sale
(X) As follows:
LEVY ON ANY AND ALL ACCTS. STANDING IN THE NAME OF JUDGMENT DEBTOR SSN 547-27-7337, INCLUDING BUT NOT LIMITED TO ACCT# 002474440431
- THE AMOUNT NECESSARY TO SATISFY THE JUDGMENT CREDITOR'S JUDGMENT IS
\$ 15179.38 PLUS \$ 3.53 INTEREST PER DAY FROM 01/23/14 TO DATE OF SERVICE.

(READ INFORMATION FOR JUDGMENT DEBTOR OR INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR ON ATTACHED SHEET.)

=====

Notice of Levy was () Mailed on: 4/27/14 () Delivered on: ___/___/___
() Posted on: ___/___/___ () Filed on: ___/___/___
() Recorded on: ___/___/___

By: [Signature] LEROY D. BACA, SHERIFF
D. VARGAS, Deputy

NOTICE OF LEVY (ENFORCEMENT OF JUDGMENT)

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

NOTICE OF BANKRUPTCY PROCEDURES

CREDITOR'S ATTORNEY OR CREDITOR WITHOUT ATTORNEY
LAW OFFICES OF CLARK GAREN

6700 S CENTINELA AVE 3RD FL
CULVER CITY, CA 90230

BANKRUPTCY TRUSTEE, DEBTOR-IN-POSSESSION
ELIZABETH (SV) F. ROJAS (TR)
NOBLE PROFESSIONAL CENTER
15060 VENTURA BLVD STE. 240
SHERMAN OAKS, CA 91403

DEBTOR'S ATTORNEY OR DEBTOR WITHOUT AN ATTORNEY
BAYLEY-LEQUIRE, EMILY A
C/O KEVIN T.SIMON ATTY
15233 VENTURA BLVD STE. 250
SHERMAN OAKS, CA 91403

STATE COURT
SUPERIOR COURT
800 S. VICTORIA AVENUE
Plaintiff: THE BEST SERVICE CO
Defendant: BAYLEY-LEQUIRE, EMILY A
Case: 56-2011-00397702-CL-CL-VTA

BANKRUPTCY COURT
Name: US BANKRUPTCY CENTRAL DISTRICT
Bankruptcy Case No.: 1:14BK10868VK
Bankruptcy Chapter : C13
Date Petition Filed In Court: 02/20/14
341 Meeting Date: 04/16/14

Pursuant to a writ of execution, the Sheriff levied on the property of the judgment debtor as follows:
We are currently holding \$4000.00.

The judgment debtor subsequently filed the above petition in bankruptcy. Future levies are stayed by the automatic stay as provided by 11 USC 362(a). As a custodian in possession of property of the debtor's bankruptcy estate, notice is hereby given to the above parties that, unless otherwise ordered by bankruptcy court:

1. Upon the request of the trustee, the Sheriff will turn over the above property to the above trustee no earlier than five days after the first meeting of creditors (341 meeting).
2. If the trustee declines to accept the turnover of the property or if there is no trustee appointed, the Sheriff will transfer the property to the judgment creditor after the automatic stay is terminated.

Judgment Creditor: If you oppose the Sheriff turning over the property to the trustee, you must obtain a bankruptcy court order directing otherwise.

Judgment Debtor: If you seek the return of the property, you must obtain a bankruptcy court order directing the Sheriff to return the property to you. Unless the Sheriff's Department receives an Order Avoiding Lien or court order directing otherwise, the Sheriff will transfer or sell the property to the judgment creditor after the automatic stay is terminated.

Bankruptcy Trustee: Upon your request, the property will be turned over to you, unless the bankruptcy court orders otherwise. The Sheriff will pay any storage costs up to and including the date the property is turned over to you. Thereafter, you are responsible for storage and handling costs. If, after receiving the property, you subsequently abandon the property to the debtor, please deliver the property to debtor rather than the Sheriff.

Mailing Date: 02/20/14
Sheriff's Office:
1427 WEST COVINA PKWY., RM 127
WEST COVINA, CA 91790


JOHN L. SCOTT, SHERIFF
By: 
ROSARIO F VILLELA, DEPUTY
Levying Officer

EXHIBIT "C"

Transmission Report

Date/Time
Local ID 1

02-20-2014
818 285 0104

11:14:34 a.m.

Transmit Header Text
Local Name 1

Simon Resnik Hayes LLP

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

SIMON RESNIK HAYES LLP

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
BK DEPARTMENT	Pita Diaz
COMPANY:	DATE:
Law Offices of Clark Garen	FEBRUARY 10, 2014
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
310.636.4771	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
310.391.0800	
RE:	YOUR REFERENCE NUMBER:
Emily Ann Bayley 1466 Calle Morera Thousand Oaks, CA 91360 Case:56-2011-00397702-CL-CL-VTA	1:14-bk-10868-VK

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

A Chapter 13 bankruptcy has been filed for the above referenced Debtor.
Attached is a copy of the front page of the voluntary petition.

Please ensure the appropriate steps are followed so that the Automatic stay will not be violated.

Feel free to contact this office if there are any remaining questions or concerns.

Sincerely,

Pita Diaz
Assistant to Attorney Kevin T. Simon
Simon Resnik Hayes LLP

Amy Bayard
SIMON RESNIK HAYES LLP
15233 VENTURA BLVD STE 250
SHERMAN OAKS, CALIFORNIA 91403
T: 818-783-6251
F: 818-783-6253
KEVIN@SRHLAWFIRM.COM

Total Pages Scanned : 3

Total Pages Confirmed : 3

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	880	13106364771	11:11:26 a.m. 02-20-2014	00:02:38	3/3	1	EC	HS	CP9600

Abbreviations:

HS: Host send
HR: Host receive
MS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
EE: Fax Forward

CP: Completed
FA: Fall
TH: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct

Transmission Report

Date/Time 02-20-2014 11:19:40 a.m. Transmit Header Text
Local ID 1 818 285 0104 Local Name 1 Simon Resnik Hayes LLP

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

SIMON RESNIK HAYES LLP

FACSIMILE TRANSMITTAL SHEET	
TO: BK DEPARTMENT	FROM: Pita Diaz
COMPANY: Sheriff Dept. LA County	DATE: FEBRUARY 10, 2014
FAX NUMBER: 626.338.6347	TOTAL NO. OF PAGES INCLUDING COVER: 3
PHONE NUMBER: 626.813.3255	SENDER'S REFERENCE NUMBER:
RE: Emily Ann Bayley 1466 Calle Morena Thousand Oaks, CA 91360 Case:56-2011-00397702-CL-CL-VTA	YOUR REFERENCE NUMBER: 1:14-bk-10868-VK

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

A Chapter 13 bankruptcy has been filed for the above referenced Debtor.
Attached is a copy of the front page of the voluntary petition.

Please ensure the appropriate steps are followed so that the Automatic stay will not be violated.

Feel free to contact this office if there are any remaining questions or concerns.

Sincerely,

Pita Diaz
Assistant to Attorney Kevin T. Simon
Simon Resnik Hayes LLP

SIMON RESNIK HAYES LLP
15233 VENTURA BLVD STE 250
SHERMAN OAKS, CALIFORNIA 91403
T: 818-783-6251
F: 818-783-6253
KEVIN@SKULLAWFIRM.COM

Total Pages Scanned : 3

Total Pages Confirmed : 3

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	879	6263386347	11:11:03 a.m. 02-20-2014	00:01:22	3/3	1	EC	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
FF: Fax Forward

CP: Completed
FA: Fail
TU: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct

Attorney or Party without Attorney: LAW OFFICES OF CLARK GAREN 6700 S CENTINELA AVE 3RD FL. CULVER CITY, CA 90230 TEL: (310) 391-0800 310.636.4771		For Recorder's use only
SUPERIOR COURT 800 S. VICTORIA AVENUE VENTURA, CA 93003 Plaintiff: THE BEST SERVICE CO Defendant: BAYLEY-LEQUIRE, EMILY A	56100	Levying Officer: Sheriff's Department Los Angeles County 1427 WEST COVINA PKWY., RM 127 WEST COVINA, CA 91790 TEL: (626) 811-1255 626.338.6347
Notice of levy - under writ of: COURT CASE 56 2011 00122002 CL-CL-VTA (X) Execution (Money Judgment) () Sale		Levy Officer File No 1101401220024

TO THE PERSON NOTIFIED:
BANK OF AMERICA
BAYLEY-LEQUIRE, EMILY A
1466 CALLE MORERA
THOUSAND OAKS, CA 91360

GARNISHEE
JUDGMENT DEBTOR

1. The judgment creditor seeks to levy upon property in which the judgment debtor has an interest and apply it to the satisfaction of a judgment as follows:

A. Judgment Debtor:

BAYLEY-LEQUIRE, EMILY A , an Individual

B. The property to be levied upon is described:

() In the accompanying Writ of Possession or Writ of Sale

(X) As follows:


LEVY ON ANY AND ALL ACCTS. STANDING IN THE NAME OF JUDGMENT
DEBTOR SSN 547-27-7337, INCLUDING BUT NOT LIMITED TO
ACCT# 002474440431

2. THE AMOUNT NECESSARY TO SATISFY THE JUDGMENT CREDITOR'S JUDGMENT IS
\$ 15179.38 PLUS \$ 3.53 INTEREST PER DAY FROM 01/23/14 TO DATE OF
SERVICE.

(READ INFORMATION FOR JUDGMENT DEBTOR OR INFORMATION FOR PERSON OTHER THAN
JUDGMENT DEBTOR ON ATTACHED SHEET.)

=====

Notice of Levy was () Mailed on: 4/12/14 () Delivered on: ___/___/___
() Posted on: ___/___/___ () Filed on: ___/___/___
() Recorded on: ___/___/___

By:  LEROY D. BACA, SHERIFF
D. VARGAS, Deputy

NOTICE OF LEVY (ENFORCEMENT OF JUDGMENT)

2/20/2014

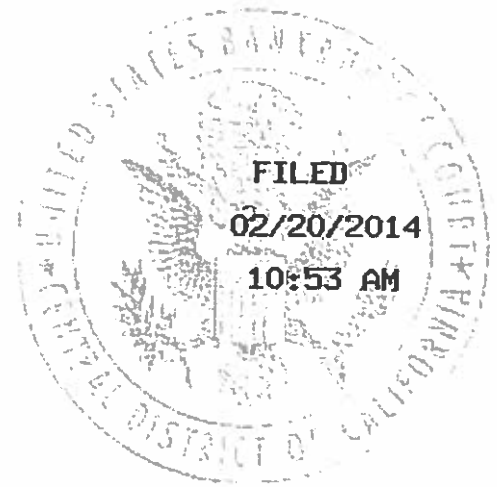
CM/ECF - U.S. Bankruptcy Court (v5.1 - LIVE)

United States Bankruptcy Court
Central District Of California

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 02/20/2014 at 10:53 AM and filed on 02/20/2014.

Emily Ann Bayley
1466 Calle Morera
Thousand Oaks, CA 91360
SSN / ITIN: xxx-xx-7337
aka Emily Ann Bayley-Lequire
aka Emily A Bayley-Lequire



The case was filed by the debtor's attorney: The bankruptcy trustee is:

Kevin T Simon
Simon Resnik Hayes LLP
15233 Ventura Blvd Ste 250
Sherman Oaks, CA 91403
818-783-6251

Elizabeth (SV) F Rojas (TR)
Noble Professional Center
15060 Ventura Blvd., Suite 240
Sherman Oaks, CA 91403
818-933-5700

The case was assigned case number 1:14-bk-10868-VK to Judge Victoria S. Kaufman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our Internet home page www.cacb.uscourts.gov or at the Clerk's Office, 21041 Burbank Blvd., Woodland Hills, CA 91367-6603.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Kathleen J. Campbell
Clerk, U.S. Bankruptcy
Court

EXHIBIT "D"

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Vel. Q. [Signature]	Maria Escobar
COMPANY:	DATE:
Sheriff's Department – West Covina	APRIL 15, 2014
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER
626-338-6347	6
PHONE NUMBER:	SENDER'S REFERENCE NUMBER
626-813-3255	
RE:	YOUR REFERENCE NUMBER
The Best Service Co vs. Emily A. Bayley- Lequire Case#: 56-2011-00397702-CL-CL-VTA Levy Officer File #: 330140220024	1:14-bk-10868-VK

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS

Enclosed please find the Order Granting Motion to Avoid Lien for the above referenced.
Please return all monies in your possession back to Defendant/Debtor Emily Ann Bayley
Lequire.

Feel free to contact this office if there are any remaining questions or concerns.

Sincerely,

[Signature]

Maria Escobar
Assistant to Kevin T. Simon, Esq.

SIMON RESNIK HAYES LLP
15233 VENTURA BLVD., SUITE 250
SHERMAN OAKS, CALIFORNIA 91403
T: 818-783-6251
F: 818-783-6253
KEVIN@SRILAWFIRM.COM

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Kevin T. Simon, Esq. - SBN 180967 SIMON RESNIK HAYES LLP Attorneys At Law 15233 Ventura Blvd., Suite 250 Sherman Oaks, CA 91403 Tel: (818) 783-6251 Fax: (818) 783-6253 E-mail: kevin@srhlawfirm.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor(s)		FOR COURT USE ONLY <div style="border: 1px solid black; padding: 10px; text-align: center;">FILED & ENTERED APR 15 2014 CLERK U.S. BANKRUPTCY COURT Central District of California BY Ogler DEPUTY CLERK</div>	
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – SAN FERNANDO VALLEY DIVISION			
In re: EMILY ANN BAYLEY Debtor(s).		CASE NO.: 13 CHAPTER: 1:14-bk-10868-VK	
		ORDER <input checked="" type="checkbox"/> GRANTING <input type="checkbox"/> DENYING MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (REAL PROPERTY)	
		<input checked="" type="checkbox"/> No hearing held <input type="checkbox"/> Hearing held Date: Time: Courtroom: Place:	
Creditor Holding Lien to be Avoided: <u>The Best Service Co., Inc., its Successors and/or Assigns</u>			

The Motion was: ☐ Opposed ☒ Unopposed ☐ Settled by stipulation

Pursuant to 11 U.S.C. § 522(f), Debtor moved to avoid a judicial lien on real property claimed to be exempt. The court finds and orders as follows:

1. ☐ Notice of this Motion complied with LBR 9013-1(d).
2. ☒ Notice of this Motion complied with LBR 9013-1(o).
 - a. ☒ There was no opposition and request for hearing.
 - b. ☐ Hearing requested and held as indicated in the caption.

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

3. The real property to which this order applies is as follows:

a. Street address: 1466 Calle Morera, Thousand Oaks, CA 91360

Legal description: Lot 51 in Tract No 1079, in the City of Thousand Oaks,
County of Ventura, State of California, as per map recorded
in book 27 page 79 of maps

☒ See attached page

4. Recording information regarding lien to be avoided:

a. Date of recordation of lien: 4/5/2012

b. Recorder's instrument number or map/book/page number: 20120405-00063186-0 1/3

5. ☒ Motion granted:

a. ☒ The judicial lien sought to be avoided impairs an exemption to which Debtor would otherwise be entitled under 11 U.S.C. § 522(d)

b. ☒ The judicial lien is hereby declared void and unenforceable:

(1) ☒ In its entirety

(2) ☐ In the following amount *only*: \$ _____. The balance of \$ _____ remains a valid and

6. ☐ Motion denied on the following grounds: ☐ with prejudice ☐ without prejudice

a. ☐ Insufficient notice

b. ☐ Insufficient evidence of the exempt status of the property in question

c. ☐ Failure to comply with FRBP 7004(b)(3) or FRBP 7004(h).

d. ☐ Insufficient evidence of fair market value.

e. ☐ Motion is incomplete.

f. ☐ Other (*specify*):

//

7. ☐ The court further orders as follows (*specify*):
☐ See attached page

###

Date: April 15, 2014


Victoria S. Kaufman
United States Bankruptcy Judge

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

EXHIBIT "A"

Legal Description

All that certain real property in the County of VENTURA, State of California, described as follows:

LOT 51, TRACT NO. 1079, IN THE CITY OF THOUSAND OAKS, COUNTY OF VENTURA,
STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27 PAGE 79 OF MAPS, IN THE
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TRANSMISSION VERIFICATION REPORT

TIME : 04/15/2014 14:38
NAME :
FAX :
TEL :
SER.# : BROE2J370117

DATE, TIME 04/15 14:37
FAX NO./NAME 16263386347
DURATION 00:00:44
PAGE(S) 06
RESULT OK
MODE STANDARD
ECM

SIMON RESNIK HAYES LLP

FACSIMILE TRANSMITTAL SHEET

TO: <i>levying Officer</i>	FROM: Maria Escobar
COMPANY: Sheriff's Department - West Covina	DATE: APRIL 15, 2014
FAX NUMBER: 626-338-6347	TOTAL NO. OF PAGES INCLUDING COVER: 6
PHONE NUMBER: 626-813-3255	SENDER'S REFERENCE NUMBER:
RE: The Best Service Co vs. Emily A. Bayley-Lequire Case#: 56-2011-00397702-CL-CJ-VTA Levy Officer File #: 330140220024	YOUR REFERENCE NUMBER: 1:14-bk-10868-VK

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS

Enclosed please find the Order Granting Motion to Avoid Lien for the above referenced.
Please return all monies in your possession back to Defendant/Debtor Emily Ann Bayley
Lequire.

Feel free to contact this office if there are any remaining questions or concerns.

Sincerely,

[Signature]

EXHIBIT "E"

SIMON RESNIK HAYES LLP
ATTORNEYS AT LAW

Kevin T. Simon* APLC
Matthew D. Resnik APC
M. Jonathan Hayes** APC

Russell J. Stong, III
S. Renée Sawyer Blume
Donna R. Dishbak
Roksana D. Moradi

15233 VENTURA BOULEVARD
SUITE 250
SHERMAN OAKS, CALIFORNIA 91403

Telephone: (818) 783-6251
Facsimile: (818) 783-6253
www.srhlawfirm.com

David M. Kritzer
Corinne B. Elfassi
Heather J. Canning**
Carolyn M. Afari
Stephanie A. Zoet

Of Counsel
Karen A. Dion*
Christopher J. Langley

** Certified Bankruptcy Specialist

Admitted in

* California and Colorado
** California and New York
* California and Wisconsin

April 22, 2014

VIA FACSIMILE (310) 636-4771 AND U.S. MAIL

Clark Garen
The Law Offices of Clark Garen
6700 S. Centincla Ave., 3rd Floor
Culver City, CA 90230

**Re: Bayley, Emily Ann. – Violation of Stay – Notice to Release Levy
Chapter 13 Case No.: 1:14-bk-10868-VK**

Dear Mr. Garen:

This letter is to advise you that you are in willful violation of the Automatic Stay provided by Ms. Bayley's bankruptcy case filed on February 20, 2014. (see attached) Per the phone conversation today with your staff our office, you indicated that you would not instruct the Sheriff to release the bank levy and that you have been aware of Ms. Bayley's bankruptcy you were notified by our office on February 10, 2014.

The levy is in violation of § 362(a)(6) of the Bankruptcy Code. This section states that "any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the case" will be a violation of the automatic stay.

Section 362(k)(1) delineates the penalties that will arise: "an individual injured by any willful violation of a stay provided by this section shall recover actual damages, including costs and attorneys' fees, and, in appropriate circumstances, may recover punitive damages."

If a letter is not sent to the Sheriff's Department to release the levy within the next 48 hours, we will file a § 362(k) violation of the automatic stay motion with the court to recover attorney's fees and sanctions.

Upon the submission of a Release of Levy to the Sheriff's Department, please send me a copy of the updated release via fax to (818) 783-6253 and please contact our office to let us know that the release was sent.

Sincerely,



Donna Dishbak, Esq.

LOS ANGELES OFFICE

2/20/2014

CM/ECF - U.S. Bankruptcy Court (v5.1 - LIVE)

United States Bankruptcy Court
Central District Of California

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 02/20/2014 at 10:53 AM and filed on 02/20/2014.



Emily Ann Bayley
1466 Calle Morera
Thousand Oaks, CA 91360
SSN / ITIN: xxx-xx-7337
aka Emily Ann Bayley-Lequire
aka Emily A Bayley-Lequire

The case was filed by the debtor's attorney: The bankruptcy trustee is:

Kevin T Simon
Simon Resnik Hayes LLP
15233 Ventura Blvd Ste 250
Sherman Oaks, CA 91403
818-783-6251

Elizabeth (SV) F Rojas (TR)
Noble Professional Center
15060 Ventura Blvd., Suite 240
Sherman Oaks, CA 91403
818-933-5700

The case was assigned case number 1:14-bk-10868-VK to Judge Victoria S. Kaufman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our Internet home page www.cacb.uscourts.gov or at the Clerk's Office, 21041 Burbank Blvd., Woodland Hills, CA 91367-6603.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Kathleen J. Campbell
Clerk, U.S. Bankruptcy
Court

SIMON RESNIK HAYES LLP

FACSIMILE TRANSMITTAL SHEET

TO	FROM
Clark Garen	Maria Escobar
COMPANY	DATE
Law Offices of Clark Garen	APRIL 22, 2014
FAX NUMBER	TOTAL NO. OF PAGES INCLUDING COVER
310-636-4771	3
PHONE NUMBER	SENDER'S REFERENCE NUMBER
310-391-0800	
RE	YOUR REFERENCE NUMBER
The Best Service Co vs. Emily A. Bayley- Lequire Case#: 56-2011-00397702-CL-CL-VTA Levy Officer File #: 330140220024	1:14-bk-10868-VK

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS

The enclosed is self explanatory.

Feel free to contact this office if there are any remaining questions or concerns.

Sincerely,



Maria Escobar
Assistant to Kevin T. Simon, Esq.

TRANSMISSION VERIFICATION REPORT

TIME : 04/22/2014 14:07
NAME :
FAX :
TEL :
SER.# : BROE2J370117

DATE, TIME	04/22 14:06
FAX NO./NAME	13106364771
DURATION	00:00:38
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

SIMON RESNIK HAYES LLP

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Clark Garen	Maria Escobar
COMPANY:	DATE:
Law Offices of Clark Garen	APRIL 22, 2014
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
310-636-4771	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
310-391-0800	
RE:	YOUR REFERENCE NUMBER:
The Best Service Co vs. Emily A. Bayley- Lequire Case#: 56-2011-00397702-CL-CL-VTA Levy Officer File #: 330140220024	1:14-bk-10868-VK

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

The enclosed is self explanatory.

Feel free to contact this office if there are any remaining questions or concerns.

Sincerely,



EXHIBIT "F"

**Law Offices of
CLARK GAREN**

Salaried Employees of
The Best Service Co. Inc.

Clark Garen

Greg Lawrence

April 22, 2014

SIMON RESNIK HAYES LLP
Att: Donna Dishbak
15233 Ventura Blvd., Suite 250
Sherman Oaks, CA 91403

Re: Best Service Co. v Emily Ann Bayley

(Via facsimile 818 783 6253)

Dear Ms. Dishbak:

Please be advised that I am counsel for The Best Service Co. Inc.

On January 27, 2014, Judgment Debtor Emily Ann Bayley's bank was served with a levy filed by Judgment Creditor, The Best Service Co. Inc.. Thereafter on February 20, 2014, judgment debtor filed Chapter 13 Bankruptcy. Thereafter, Judgment Creditor notified the Los Angeles County Sheriff of the Automatic Stay.

Pursuant to the Notice of Automatic Stay all creditor actions are heretofore stayed unless relief is granted pursuant to an order issued by the United States Bankruptcy Court or Section 362 therein and the Sheriff is required to hold any funds recovered from the levy of the Judgment Debtors' bank accounts pending disposition of the bankruptcy or further instructions from the bankruptcy trustee or Los Angeles County Sheriff.

The funds being held by the Sheriff are now the property of the Bankruptcy Trustee. Judgment Creditor has no authority, under Section 362(a)(6), to instruct the Sheriff to release the funds, as you demanded and is not in violation of the Automatic Stay Order.

Respectfully,


Greg Lawrence

Greg Lawrence, Attorney at Law
Assistant General Counsel
Professional Collection Consultants
& The Best Service Co. Inc.
6700 S. Centinela Ave. 3rd Floor
Culver City, CA 90230
310 391 0800 ext. 105 (Office)
310 636-4771 (Facsimile)
Email: glawrence53@aol.com

Fax

TO: DONNA DISHBAK

From: GREG LAWRENCE

Fax: 818 783 6253

Pages: 2

Phone:

Date: April 22, 2014

Re: BEST SERVICE V EMILY ANN
BAYLEY

CC:

☐ Urgent

☐ Please Comment

☐ Please Reply

☐ Please Review

PERSONAL AND CONFIDENTIAL

The information contained in this facsimile and attached document(s) is/are confidential and also legally privileged as to the sender and the recipient of the matter. This information is solely intended for the use of the individual or entity to whom it is addressed. If you are not the addressee, or the employee or agent responsible to deliver this facsimile to its intended recipient, you are hereby notified that any review, use, dissemination, distribution, disclosure, copying or taking of any action in reliance on the contents of this information is strictly prohibited and violation thereof is subject to legal liabilities pursuant to applicable laws. *If you have received this communication in error, please notify us by telephone to arrange for the return of the documents to this office.*

In re:	CHAPTER: 13
EMILY ANN BAYLEY	CASE NUMBER: 1:14-bk-10868-VK
Debtor(s).	

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

15233 Ventura Boulevard, Suite 250, Sherman Oaks, CA 91403

A true and correct copy of the foregoing document entitled **MOTION FOR INTENTIONAL VIOLATION OF THE AUTOMATIC STAY AGAINST THE BEST SERVICE CO., INC., ITS SUCCESSORS AND/OR ASSIGNS; REQUEST LEVY BE RELEASED AND ATTORNEY FEES IN THE AMOUNT OF \$2,500.00 BE AWARDED TO THE DEBTOR; DECLARATIONS IN SUPPORT THEREOF** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On April 28, 2014 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Elizabeth (SV) F Rojas (TR)	cacb_ecf_sv@ch13wla.com
United States Trustee (SV)	ustpreion16.wh.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On April 28, 2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on April 28, 2014, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Judge's Copy:
Honorable Victoria S. Kaufman
21041 Burbank Boulevard
Courtroom 301
Woodland Hills, CA 91367

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 28, 2014
Date

Maria Diaz
Printed Name


Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re:	CHAPTER 13
EMILY ANN BAYLEY	CASE NUMBER: 1:14-bk-10868-VK
Debtor(s).	

CONTINUED SERVICE LIST

Debtor

Emily Ann Bayley
1466 Calle Morera
Thousand Oaks, CA 91360

The Best Service Co., Inc. (Entity Address)(Certified Mail)

Attn: Roger Milstein, Presidnet
12601 Venice Blvd.
Los Angeles, CA 90066

Agent for Service of Process for The Best Service Co., Inc. (Certified Mail)

Mir Samd Hatami
1342 10th Street, #204
Santa Monica, CA 90401

The Best Service Co., Inc. (Recorded Abstract)(Certified Mail)

Attn: Greg Lawrence, Esq.
Lawrence & Lawrence, A Law Corp.
10780 Santa Monica Blvd., Suite 140
Los Angeles, CA 90025

The Best Service Co., Inc. (Claim)(Certified Mail)

Attn: Gary Condon
6700 S. Centinela Ave., Third Floor
Culver City, CA 90230

Counsel for The Best Service Co., Inc. (Certified Mail)

The Law Offices of Clark Garen
Attn: Clark Garen, Esq.
6700 S. Centinela Ave., Third Floor
Culver City, CA 90230